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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,628	06/28/2001	Bill Kitchen	3350-05I	5979

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EXAMINER

ALVAREZ, RAQUEL

ART UNIT PAPER NUMBER

3622

DATE MAILED: 09/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/892,628

Applicant(s)

KITCHEN ET AL.

Examiner

Raquel Alvarez

Art Unit

3622

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 09 September 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

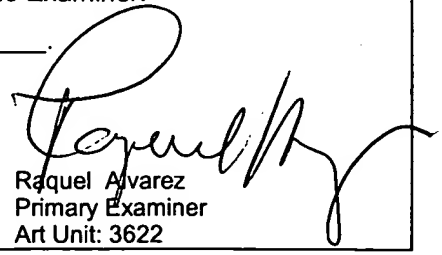
Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.

10. ☐ Other: _____


Raquel Alvarez
Primary Examiner
Art Unit: 3622

With respect to the 101 rejections, the claims do not fall within the technological art. For example, in independent claims 34 and 56, the steps or process of ... displaying should be implemented via a device, such as a computer system, a database, a data communication, computer network, the Internet and so and so forth.

Applicant argues that Hogan doesn't teach displaying the same information in the single screen. The Examiner disagrees with Applicant because Hogan teaches the payment due date, total amount due, and a selectable biller list (see Figure 11). Since, the claims recite a plurality of billers identifiers or a selectable biller list, then the claims are met if either one of the claim limitations is met, in this case, Hogan teaches a selectable biller list (Electric Co.) a list can consist of one item.

Applicant argues that Hogan doesn't teach a payment amount. The Examiner respectfully disagree with Applicant because Hogan like any bill presentation, shows the payment amount due. Figure 4 of Hogan clearly teaches the "total amount now due" , In the case of Figure 4, the \$114.43 is the amount due on the account. The allowed, pre-established partial amounts allow the payor to break into payment the \$114.43 amount. The \$114.43 or the established allowed partial payments are the payment amounts due on the account.

Applicant argues that Hogan does not teach a periodic payment area for displaying future payment due dates. The Examiner disagrees with Hogan because Hogan teaches on col. 6, lines 59-64 it teaches that the payee can allow for partial or recurring payments to be displayed, the server computer 160 prompts for the allowed partial payment amount to be displayed when the "allowed partial" is selected

With respect to the official notice, since, the applicant has not provided a proper challenge that would at least cast reasonable doubt on the fact taken notice of, the Official notice is sustained.

With respect to the automatic predating limitation of claim 56, the Examiner wants to point out that Hogan clearly teaches on Figure 4 tha the pay date 407 shows "today" which is pre-date versus the "another date" which is a date later in time.